



PUBLIC HEARING APPLICATION REZONING, SPECIAL USE PERMIT, OR CHANGE IN CONDITIONS

A properly completed application and fees are due at the time of submittal. **An incomplete application will not be accepted.** Original signatures are required for the Application.

REQUIRED ITEMS	NUMBER OF COPIES	REQUIRED	PROVIDED
Completed Application Form	<ul style="list-style-type: none"> • 1 original 		
Boundary Survey with Legal Description	<ul style="list-style-type: none"> • 1 full size copy • 1- 8-1/2" x 11" or 11" x 17" reduction 		
Site Plan	<ul style="list-style-type: none"> • 1 full size Copy • 1- 8-1/2" x 11" or 11" x 17" reduction 		
Architectural Elevations	<ul style="list-style-type: none"> • 1 copy 		
Letter of Intent	<ul style="list-style-type: none"> • 1 copy 		
Applicant Certification with Notarized Signature	<ul style="list-style-type: none"> • 1 copy 		
Property Owner Certification with Notarized Signature	<ul style="list-style-type: none"> • 1 copy 		
Standards Governing Exercise of the Zoning Power	<ul style="list-style-type: none"> • 1 copy 		
Disclosure Report Form (Conflict of Interest Certification/Campaign Contributions)	<ul style="list-style-type: none"> • 1 copy 		
Verification of Paid Property Taxes (most recent year)	<ul style="list-style-type: none"> • One (1) Copy (per tax parcel) 		
Electronic copy of complete package	<ul style="list-style-type: none"> • One (1) copy 		
Application Fee	<ul style="list-style-type: none"> • Make checks payable to the City of Peachtree Corners 		
Community Information Meeting Certification	<ul style="list-style-type: none"> • 1 copy 		
Specimen Tree Survey	<ul style="list-style-type: none"> • 1 copy 		
Supplemental Form for Specific Uses	<ul style="list-style-type: none"> • 1 copy 		
ADDITIONAL EXHIBITS (IF REQUIRED)			
Additional site plan requirements for the RM Districts, R-TH, R-ZT, Modified, CSO, OBP, MUD or MUO rezoning requests	<ul style="list-style-type: none"> • 1 copy 		
Traffic Study	<ul style="list-style-type: none"> • 1 copy 		
Development of Regional Impact Review Form	<ul style="list-style-type: none"> • 1 copy 		
Other Information Needed to Review Application (as determined by Community Development staff)	<ul style="list-style-type: none"> • 		

REZONING, SPECIAL USE PERMIT, OR CHANGE IN CONDITIONS APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF PEACHTREE CORNERS, GEORGIA

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME: _____	NAME: _____
ADDRESS: _____	ADDRESS: _____
CITY: _____	CITY: _____
STATE: _____ ZIP: _____	STATE: _____ ZIP: _____
PHONE: _____	PHONE: _____
E-MAIL: _____	E-MAIL: _____

APPLICANT CONTACT, IF DIFFERENT THAN ABOVE
CONTACT PERSON: _____ PHONE: _____
CONTACT'S E-MAIL: _____

APPLICANT IS THE:

OWNER'S AGENT PROPERTY OWNER CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): _____ REQUESTED ZONING DISTRICT: _____

LAND DISTRICT(S): _____ LAND LOT(S): _____ ACREAGE: _____

ADDRESS OF PROPERTY: _____

PROPOSED DEVELOPMENT: _____

Staff Use Only This Section

Case Number: _____ Hearing Date: P/C _____ C/C _____ Received Date: _____

Fees Paid: _____ By: _____

Related Cases & Applicable Conditions:

Description:

RESIDENTIAL DEVELOPMENT

NON-RESIDENTIAL DEVELOPMENT

No. of Lots/Dwelling Units _____

No. of Buildings/Lots: _____

Dwelling Unit Size (Sq. Ft.): _____

Total Bldg. Sq. Ft.: _____

Gross Density: _____

FEES PAID

Application fees are set by fee schedule which is included in the application materials for convenient reference. **Fees may be paid by credit card or check in person at City Hall.** Following acceptance of the application, the City will not solicit applicants for additional fees by invoice or other means. Applicants are encouraged to report any suspicious emails or requests for additional payment related to their application to the Community Development Department.

FEE SCHEDULE

1. Rezoning / Change-in-Conditions / Special Use Permit: Residential Zoning Districts

(note: a Special Use Permit related to a rezoning case shall not incur an additional fee)

A. For the following single-family residential zoning districts: RA-200, R-100, or R-75

0 - 5 Acres = \$ 500

> 5 - 10 Acres = \$ 1,000

> 10 - 20 Acres = \$ 1,500

> 20 - 100 Acres = \$ 2,000

> 100 - Acres = \$ 2,500 plus \$40 for each additional acre over 100

Maximum Fee: \$10,000

B. For the following single and multifamily residential zoning districts: R-TH, RMD, RM-6, RM-8, RM-10, RM-13, R-SR, MH, R-60, R-ZT, R-75 MOD or CSO, and R-100 MOD or CSO

0 - 5 Acres = \$ 850

> 5 - 10 Acres = \$1,600

> 10 - 20 Acres = \$2,100

> 20 - 100 Acres = \$2,600

> 100 - Acres = \$3,200 plus \$40 for each additional acre over 100

Maximum Fee: \$10,000

2. Rezoning / Change-in-Conditions / Special Use Permit: Non-Residential Zoning Districts

(note: a Special Use Permit related to a rezoning case shall not incur an additional fee)

For the following office, commercial and industrial zoning districts: C-1, C-2, C-3, O-I, OBP, M-1, or M-2

0 - 5 Acres = \$ 850

> 5 - 10 Acres = \$1,600

> 10 - 20 Acres = \$2,100

> 20 - 100 Acres = \$2,600

> 100 - Acres = \$3,200 plus \$50 for each additional acre over 100

Maximum Fee: \$10,000

3. Rezoning / Change-in-Conditions / Special Use Permit: Mixed-Use Development (MUD) District

Application Fee = \$1,200

+ \$75 per acre or portion thereof (for rezoning only)

Maximum Fee: \$10,000

4. Buffer Reduction (Greater than 50%): \$500

5. Comprehensive Plan Amendment: \$1000

SECOND AMENDED
LETTER OF INTENT

and

Other Material Required by
The City of Peachtree Corners Zoning Ordinance
for the
Major Modification
and Concurrent Variance
Applications

of

ALLIANCE RESIDENTIAL, LLC

for

± 10.7 Acres of Land
located in
Land Lot 272 of the 6th District, Gwinnett County
Address: 20 Technology Parkway

Submitted for Applicant by:

Dennis J. Webb, Jr.
Kathryn M. Zickert
J. Alexander Brock
Smith, Gambrell & Russell LLP
1105 W. Peachtree Street, NE
Suite 1000
Atlanta, Georgia 30309
404-815-3500

I. INTRODUCTION

This Application seeks (a) a Major Modification to existing conditions of zoning; and (b) two Concurrent Variances to reduce the amount of required architectural façade materials by 8% and allow an encroachment into the City of Peachtree Corners 50-foot undisturbed stream buffer and 75-foot impervious setback for the redevelopment of a ±10.7-acre property. The site is located in Land Lot 272 of the 6th District of Gwinnett County, Georgia and more particularly at 20 Technology Parkway (“Subject Property”). Subject Property is currently developed with one office building that was constructed in 1983¹, a 201-space parking deck and associated surface parking.

In 2021, the Subject Property was rezoned from M-1 (Light Industry District) to MUD (Mixed-Use District) per Ordinance 2021-09-215 and granted two concurrent variances (stream buffer encroachment and a reduction in unit size) to allow for a multi-family mixed-use development (“2021 Rezoning”).² Approved subject to a site plan, the 2021 Rezoning authorized the development of 382 units of multi-family apartments, office space, a small retail space and a location for food truck parking for on-site events. The site plan attached to the 2021 Rezoning called for the demolition of one of the existing office buildings, the conversion of the other office building to residential and the development of three new residential buildings. The 2021 Rezoning contained 18 conditions,³ including a master plan to regulate development of the Subject Property. In the time since the 2021 Rezoning approval, one of the existing office buildings has been removed, and a combination plat approved to consolidate the previous three lots into a single

¹ Information was obtained from the Gwinnett County Tax Assessor’s data for the Subject Property.

² The Subject Property is also located within the Activity Center/Corridor Overlay District.

³ Condition 16 contains twenty sub-parts.

parcel.⁴ No additional work has occurred in furtherance of the contemplated development, however.

The Applicant, Alliance Residential, LLC, now seeks to redevelop the Subject Property for ±326 units of multi-family residences, ± 8,000 square feet of office space, ± 2,000 square feet of restaurant/retail space, a leasing office, amenity areas and onsite parking located in a structured deck and surface parking (“Proposed Development”). The Proposed Development will consist of two ±5-story buildings, located to the north and south of the existing pond that is to remain. The northern building will contain ±83 multi-family units and the southern building will have 237 multi-family units, as well as office, commercial, and amenity space. The proposed buildings will be 5 to 6 stories, some with a 5/6 split, with some residential floors over a non-residential ground-floor. The southern building will also have a ground floor that opens onto amenitized common areas and courtyard open space. The proposed amenities will be shared among the residents of both buildings, including a clubhouse, leasing office, co-working spaces, a fitness center, a resort style pool, package lockers, mailroom, and 24-7 controlled access.

It is important to note that the Proposed Development is less intense and proposes less buildings than the development envisioned in the 2021 Rezoning. Specifically, the current design has ±56 fewer residential units than the 2021 Rezoning. In addition, the Applicant is not requesting any additional uses beyond what is already approved, but merely seeking a change in the site plan from what was adopted in the 2021 Rezoning. The 2021 Rezoning planned to reuse the 41-year-old office building for proposed residences, construct several new buildings and preserve much of the surface parking. In contrast, the Applicant’s design calls for the complete removal of the existing office building along with the internal drives and parking and redeveloping the site with

⁴ The combination plat is recorded in Gwinnett County Plat Book 00154, Page 00293.

the Proposed Development. Removing the existing structure will create a clean slate to develop the site, thus providing a much more efficient and practical layout. In addition, it will allow a more modern and aesthetically pleasing development that is not tied to the 40+ year old architecture of the existing building.

Equally important, the Proposed Development is in conformance with the surrounding uses and development in the area. The City of Peachtree Corners determined that the 2021 Rezoning's mixed-use was appropriate given the surrounding development in the area and similarly, the current, similar mix of uses would complement the surrounding development.

The Proposed Development also aligns with many of the stated goals and intents of the City of Peachtree Corners 2045 Comprehensive Plan ("Comp Plan"). The Subject Property is located within the Central Business District character area according to the Comp Plan's Character Area Map. The Comp Plan describes the vision and intent of the Central Business District as:

The Central Business District will be a pedestrian-oriented center of the community, with cultural opportunities, business, and neighborhoods that are attractive to visitors, local employees, and residents. **Uses are primarily nonresidential, but high quality mid-rise mixed-use development with significant residential components is desired.**

A significant component of the Central Business District, the existing office uses in Technology Park and other business parks, will continue to grow and thrive into the next several decades. ... **In turn, revitalizing traditional office parks into walkable, mixed-use environments will motivate young, educated professionals who wish to live where they work to live in Peachtree Corners...** Mixed-use development would also be appropriate in Tech Park in the future, with retail and housing uses to serve office workers.⁵
(emphasis added)

The Comp Plan expressly lists mixed-use and multi-family residential (as part of a mixed-use development) in buildings up to 6 stories as appropriate uses within the Central Business District.⁶

⁵ See the City of Peachtree Corners 2045 Comprehensive Plan, pg. 51.

⁶ See the City of Peachtree Corners 2045 Comprehensive Plan, pg. 52.

In all, the Applicant's proposal will allow a development that is aligned with the City of Peachtree Corners' goals for development in the Central Business District and Technology Park.

To allow for the Proposed Development, the Applicant requests the following:

1. A Major Modification to amend certain conditions of zoning in Ordinance 2021-09-215.
The proposed amendments are attached hereto as Exhibit A; and
2. A Concurrent Variance to the City of Peachtree Corners Code of Ordinances § 1315.2.5.C to reduce the amount of required façade materials by 8%.
3. A Concurrent Variance to the City of Peachtree Corners Code of Ordinances § 18-50(a) to allow encroachment into the 50-foot undisturbed natural vegetative buffer and 75-foot impervious setback as depicted on the Site Plan by Summit Engineering Consultants, Inc., dated December 19, 2024.

The Applicant submits this document as a Letter of Intent with regard to this Application, a preservation of the Applicant's constitutional rights, and an analysis of the Major Modification considerations listed in the City of Peachtree Corners Zoning Ordinance, § 1702, and an analysis of the variance criteria listed in the City of Peachtree Corners Zoning Ordinance, § 1605. A site plan and survey have been filed with the original Application, along with other required materials.

II. ZONING CHANGE-IN-CONDITIONS IMPACT ANALYSIS

The following is an analysis of the factors to allow for a modification of zoning conditions as outlined in the City of Peachtree Corners Zoning Ordinance § 1702:

A. THIS PROPOSED CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY?

As noted in the paragraphs above, the Applicant is not requesting a different use than what is already approved for the Subject Property. The 2021 Rezoning allows a mixed-use development

consisting of multi-family residential, commercial and office space, which is exactly what is being proposed, albeit with fewer units. In adopting the 2021 Rezoning, the City of Peachtree Corners acknowledged the mixed-use's compatibility with the adjacent and nearby properties. The Proposed Development will have the same compatibility of uses.

Further and alluded to herein, the Proposed Development will have less density than the 2021 Rezoning. The 2021 Rezoning approved the site for 382 multi-family residential units, commercial and office space. The Proposed Development will have ± 56 less residential units ($\pm 15\%$ less) along with a similar amount of commercial and office space. As a result, the Proposed Development will be less impactful on the surrounding and nearby property than is currently approved.

B. THIS PROPOSED CHANGE IN CONDITIONS WILL NOT ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY

Refer to the answer in Paragraph II.A above.

C. DOES THE PROPERTY TO BE AFFECTED BY THE CHANGE IN CONDITIONS HAVE REASONABLE ECONOMIC USE AS CURRENTLY ZONED?

The current plan to reuse the existing office building has proven to be impractical. The cost implications with converting the office building to residential, as envisioned in the 2021 Rezoning, makes the project infeasible and the preservation of the existing building does not positively add to the development. The requested Change-In-Conditions calls for a new plan that removes the existing building and redevelops the site with all new structures.

D. WILL THE PROPOSED CHANGE IN CONDITIONS RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS?

The Proposed Development will generate less trips than authorized in the 2021 Rezoning. The 2021 Rezoning allows the Subject Property to be developed with 382 units of multi-family apartments, office space, a small retail space and a location for food truck parking for on-site events. The traffic impacts generated by the 2021 development were accounted for during its approval process. The Applicant's request will have ± 56 fewer residential units along with a similar amount of commercial and office space, which will result in a net reduction in vehicular trips. Using the Institute of Traffic Engineers (ITE) Trip Generation Manual (Ninth Edition) (ITE Category 230 Townhome Residential), to calculate vehicle trips the Proposed Development will generate ± 24.64 fewer trips during the weekday A.M. peak hour, ± 29.12 fewer trips during the weekday P.M. peak hour, and ± 325.36 fewer total trips on a weekday than the current 2021 Rezoning allows. Hence, the Proposed Development should improve traffic.

Similarly, the reduction in residential units will result in less school age children than the site is currently approved for. As a result, there will be less impact on local schools than is already approved.

As for utilities, the Subject Property have access to water and sewer, but with a lesser demand than the 2021 Rezoning would generate.

E. WILL THE PROPOSED CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN?

Yes. It is also important to note that the mix of uses will not change from the 2021 Rezoning. The 2021 Rezoning's approval acknowledges its conformity with the Comp Plan and the Proposed Development will similarly conform. Regardless and as noted in the paragraphs

above, the Subject Property is located within the Central Business District character area and aligns with many of the Comp Plan's goals for that area, including providing residential in a mixed-use development. The proposed residential's proximity to nearby employment centers within the Central Business District character area will also promote walkability.

F. THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED CHANGE IN CONDITIONS?

While most of the aspects of the Proposed Development remain similar to what was allowed in the 2021 Rezoning, the Applicant's proposal will result in a more fitting development. As noted in previous paragraphs, the 2021 Rezoning intended to reuse one of the existing office buildings and convert it into residential. This was determined to be impractical and less efficient than removing the building and building all new structures. In addition, the development is not tied to the over 40-year-old architecture of the existing office building, which should result in a more modern and attractive development.

III. CONCURRENT VARIANCE ANALYSIS

The Applicant is seeking two concurrent variances with its request to the following requirement of the City of Peachtree Corners Code of Ordinance:

A. A REDUCTION IN THE AMOUNT OF BRICK FACADE REQUIRED BY THE CITY OF PEACHTREE CORNERS CODE OF ORDINANCES § 1315.2.5.C

The City of Peachtree Corners Code of Ordinances, § 1315.2.5.C, requires architectural treatments of each building elevation within the Activity Center/Corridor Overlay to be a minimum 50 percent brick, stone, and/or stucco and the balance of each elevation may be wood, wood shake or fiber-cement siding. The Applicant requests a reduction from 50 percent to 42 percent (an 8% reduction to) for the brick, stone and/or stucco requirement for the overall non-glass façade to

allow an architectural style that is more consistent with the surrounding property and natural landscape.

It is important to note that the facades visible from the adjacent rights-of-way have a higher percentage of brick and exceed the 50% requirement. It is the interior facades that have a slightly lower percentage of brick due to the presence of recessed balconies. In fact, if the recessed balcony areas are not considered, then almost all of the facades would meet the 50% brick requirement. Also, the proposed facades meet the MUD zoning district requirements, which allow the architectural façade to be composed of 50 percent brick, stone, *glass* and/or stucco.⁷ Finally, the Subject Property is located within the Activity Center/Corridor Overlay, which does not count the glass as part of the façade materials. When the glass is counted, however, the overall façade is well over the 50% material requirement. Thus, if it were not for the overlay's omission of glass, then proposed façade would be in compliance.

The Applicant's design will provide a durable, non-weathering design and avoids materials that have a high maintenance and shorter life (i.e. vinyl siding). The architectural design incorporates a significant number of large windows for each residence which increases the amount of glazing on the façade, while the remaining façade area is composed of brick and fiber-cement siding. In fact, the entirety of each façade is brick, glass and fiber-cement siding, all of which are durable materials. As a result, the Applicant's request provides a façade consisting of superior and aesthetically attractive materials with no detriment to the quality of the development.

The Applicant describes the architectural language of the building as contemporary prairie-style, featuring warm natural tones, simple materials, and strong horizontal lines. This style is intended to integrate with the natural landscape of this site, surrounded by a forested tree canopy

⁷ See *City of Peachtree Corners Code of Ordinances § 1318.13.C*.

and a water feature and natural area central to the site. The result is a thoughtful development with a lodge-like, retreat character that is both at home in nature while still being compatible with the surrounding office/institutional adjacencies.

For this reason, the use of brick is limited to the lowest story in an effort to reinforce the strong horizontals, with exceptions at the building ends which front the public right-of-way. At the building ends, the brick would be applied up to the third story. While a high percentage of brick would be appropriate for a more commercial, institutional, or civic building, applying brick at two or three stories around the entire perimeter of this residential building in this natural landscape is inconsistent with the defining characteristics of the contemporary prairie architectural style.

A grant of the requested variance would not impair the purpose of the ordinance, nor would it result in any detriment to the public good. Instead, it would allow an architectural design that is fitting and harmonious with the surrounding natural landscape. Pursuant to the City of Peachtree Corners Zoning Ordinance, § 1605, the criteria for granting the variance are met.

B. ALLOW AN ENCROACHMENT INTO THE CITY OF PEACHTREE CORNERS UNDISTURBED STREAM BUFFER AND IMPERVIOUS SETBACK REQUIRED BY CODE OF ORDINANCES § 18-50(a).

The City of Peachtree Corners Code of Ordinances §18-50(a) requires a 50-foot undisturbed natural vegetative buffer, measured horizontally, around lakes, ponds and streams (“50-foot buffer”) and an additional 25-foot impervious setback measured horizontally, beyond the undisturbed natural vegetative buffer (“75-foot setback”) (the 50-foot buffer and 75-foot setback are collectively referred to as the “Stream Buffers”). The site is currently developed with two office buildings and appurtenant parking lots⁸ located around a water feature. The existing buildings and portions of the parking areas are currently located within the 50-foot buffer, 75-foot

⁸ The existing northern office building has been removed to the foundations.

setback, and portions of the Georgia Environmental Protection Division's 25-foot state stream buffer ("State Buffer"). The Applicant intends to remove the existing buildings and parking from the buffer and redevelop the site for the Proposed Development. The Proposed Development will encroach slightly into portions of the Stream Buffers but will be a significant improvement over what exists today.

Right now, the Subject Property has $\pm 22,223$ square feet of 50-foot buffer area and $\pm 39,512$ square feet of 75-foot setback area around the existing water feature and stream. The existing development impacts $\pm 12,026$ square feet of the 50-foot buffer (or 54.1% of the buffer), $\pm 26,446$ square feet of the 75-foot setback (66.9% of the setback), and ± 950 square feet of the State Buffer. The 2021 Rezoning maintained these same impacts and included the grant of a concurrent variance to encroach into the Stream Buffers up to the limit of the existing impacts. The Applicant is requesting a variance to allow encroachments into the Stream Buffers that are significantly less than what was allowed in the 2021 Rezoning. The Applicant is proposing $\pm 4,052$ square feet of encroachment into the 50-foot buffer⁹ and $\pm 17,615$ square feet of encroachment into the 75-foot buffer.^{10,11} To allow some leeway in the final engineering of the site, the Applicant respectfully requests the grant of a variance to allow encroachments of up to 4,500 square feet into the 50-foot buffer and 18,500 square feet into the 75-foot buffer. The grant of this variance will not only allow the Proposed Development, but will also result in the removal of $\pm 7,974$ square feet of impervious

⁹ A $\pm 66\%$ reduction from the 2021 Rezoning design.

¹⁰ A $\pm 33\%$ reduction from the 2021 Rezoning design.

¹¹ It should be noted that the Applicant's engineer has observed that the pond's existing outlet control structure is clogged with debris, resulting in a water surface elevation that is approximately 1.5-feet higher than the unclogged, normal pool elevation. It is anticipated that once the outlet control structure is unclogged, there will be a lower normal pool elevation and even more of the Proposed Development will be located outside of the Stream Buffers.

area from the 50-foot buffer (66.3% restoration), ±8,831 square feet of impervious surface from the 75-foot setback (33% restoration) and ±829 square feet of the State Buffer (87% restoration).

The existing water feature is a central to the Proposed Development with each of the buildings centered around it and pedestrian trails taking advantage of its scenic appeal. Because this is such a central feature, the Applicant has taken careful consideration in its design to preserve the natural environment and improve the pond's current condition. The intent is to restrict disturbance within the Stream Buffers as much as possible while removing and revegetating areas of existing impervious surface within the buffers. This will result in a development that is aligned with the City of Peachtree Corner's goals for stream buffer protection. The stated intent of the stream buffer ordinance is to, among other items, protect, restore and maintain the chemical, physical and biological integrity of streams and their water resources; remove pollutants delivered in urban stormwater; reduce erosion and controlling sedimentation; protect and stabilize stream banks; provide for infiltration of stormwater runoff; contributing organic matter that is a source of food and energy for the aquatic ecosystem; provide tree canopy to shade streams and promote desirable aquatic habitat; provide riparian wildlife habitat; furnish scenic value and recreational opportunity; and providing opportunities for the protection and restoration of greenspace.¹² The Applicant's proposal meets each and every one of the City's stated goals. The proposed removal of ±17,634 square feet of impervious surface¹³ from the Stream Buffers and its subsequent restoration will improve stormwater runoff, bolster the aquatic ecosystem, and the scenic value of

¹² See *City of Peachtree Corners Code of Ordinances §18-47(a)*.

¹³ The total impervious area includes ±7,974 square feet of impervious surfaces in the 50-foot buffer, ±8,831 square feet of impervious surface in the 75-foot setback and ±829 square feet of impervious surfaces in the State Buffer.

the lake, and provide the treatment of stormwater runoff prior to discharge into the natural area that does not exist today, among the many other benefits.

IV. PRESERVATION OF CONSTITUTIONAL RIGHTS

The Applicant respectfully submits that the current conditional zoning classification of the Subject Property and any proposed intervening district and/or conditions except those requested is unconstitutional and that rules relative to the Subject Property owner's right to use the Property established in the City of Peachtree Corners Zoning Code, to the extent they prohibit the Proposed Development are unconstitutional and constitute an arbitrary, irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia. Further, the failure to allow this use would constitute a taking of private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The Applicant respectfully submits that the City of Peachtree Corners' failure to approve the requested Major Modification and Concurrent Variances would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the Subject Property's owner and owners of similarly situated property in violation of Article I, Section III, Paragraph I

of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

A refusal to allow the Major Modification and Concurrent Variances in question would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to allow the Major Modification and Concurrent Variances in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A. § 36-66-1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

Opponents to this request, if any, lack standing; have failed to exhaust administrative remedies; and have waived their rights to appeal by failing to assert legal and constitutional objections.

V. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this Major Modification and Concurrent Variance application be approved. The Applicant also invites and welcomes any comments from Staff or other officials of the City so that such recommendations or input may be incorporated as conditions of approval of this Application.

This 20th day of December, 2024.

Smith, Gambrell & Russell, LLP
1105 W. Peachtree Street, N.E.
Suite 1000
Atlanta, Georgia 30309
404-815-3500

Respectfully submitted,



Dennis J. Webb, Jr.
Kathryn M. Zickert
J. Alexander Brock
Attorneys For Applicant

EXHIBIT A
20 Technology Parkway
Ordinance 2021-09-215 Conditions

1. The property shall be rezoned from M-1 to MUD and variances shall be granted to allow the development to encroach into the stream buffer up to $\pm 4,500$ square feet of encroachment into the 50-foot undisturbed natural vegetative buffer and $\pm 18,500$ square feet of encroachment into the 75-foot impervious setback, as shown on the site plan by Summit Engineering Consultants, Inc., dated December 19, 2024, and to reduce the one-bedroom minimum dwelling unit size from 600 square feet to 555 square feet.
2. The site may be developed with up to 326 multi-family units. However, the maximum number of units is dependent on-site conditions, compliance with zoning conditions, and fully engineered plans that meet regulations.
3. The site shall contain a minimum of 2,000 square feet of indoor/outdoor retail or restaurant space, 8,000 square feet of office space and a food truck parking area as shown on the submitted plan.
4. The site plan layout shall be in general conformance with the site plan submitted with this application and prepared by Summit Engineering Consultants, Inc., dated December 19, 2024 (with revisions to meet these conditions and zoning and development regulations).
5. The 2.6 acres of open space being dedicated for public use for a density bonus shall be subject to an easement which ensures its open access to the public.
6. Development shall include no more than the two access points as shown on the submitted site plan.
7. All stormwater detention shall be underground and all on-site facilities shall be constructed to meet the standards of the City of Peachtree Corners Stormwater Ordinances including, but not limited to, stormwater detention, water quality standards, stream protection and management of off-site drainage flowing through the site.
8. All stormwater facilities shall be owned and maintained by the owner of the subject property in accordance with the City of Peachtree Corners Stormwater Ordinances.
9. The developer shall provide sidewalk connectivity between all buildings within the site and provide pedestrian sidewalk connections from the development onto the public sidewalk network along Technology Parkway South.
10. The developer shall provide a central mailbox for the community with adequate pedestrian access.
11. Building elevations shall be in general conformance with the elevations prepared by Brock Hudgins Architects, dated November 1, 2024.
12. Bicycle racks shall be provided within the development in accordance with the overlay standards.
13. The multi-family site shall incorporate an outdoor grilling and seating area with fireplace or fire pit.
14. The multi-family building shall have controlled access at all pedestrian entry points.
15. With regard to the multi-family units, the following shall apply:
 - a. Each unit shall have General Electric stainless-steel kitchen appliances (or equal).
 - b. All kitchens shall include granite countertops (or equal material such as quartz).
 - c. Designer ceramic tile backsplashes shall be provided in all units.

- d. Floor finish materials shall be tile, carpet, luxury vinyl tile/plank, or engineered wood. Concrete flooring shall be prohibited.
 - e. For increased privacy and reduced sound transmission, each unit shall have a minimum 7/16" 6-lb pad under all carpeted areas.
 - f. All units to be equipped with light fixtures, either recessed can light and/or ceiling mount fixtures and/or wall sconces.
 - g. All bathrooms shall have granite countertops (or equal material such as quartz).
 - h. All bathrooms shall have tiled shower/tub surrounds.
 - i. All units shall have nine-foot ceilings throughout.
 - j. All bedrooms shall include a walk-in closet, except for the one bedroom with den which shall include a full room-length wall closet.
 - k. All units shall be equipped with a full-size washer and dryer.
 - l. Pre-wiring for security systems shall be provided in all units.
 - m. All units shall be equipped with an automatic fire sprinkler system.
 - n. Walk-out balconies shall be a minimum depth of 4'-0", including the portion of the balcony that is recessed into the building for privacy reasons. Juliet balconies, which provide no privacy, shall be prohibited.
 - o. The property owner shall provide elevators and elevator lobbies.
 - p. All interior corridors shall be enclosed and climate controlled. Open air breezeways shall be prohibited.
 - q. The property owner shall provide a resort-style swimming pool and courtyard.
 - r. Children's playground equipment shall be prohibited on the property.
 - s. The property owner shall provide trash chutes internal to the building so residents do not have to carry their trash downstairs.
 - t. All interior corridor floor finish materials shall be tile, carpet, luxury vinyl tile/plank, or engineered wood. Concrete flooring shall be prohibited.
16. All existing vegetation along Peachtree Industrial Boulevard and Technology Parkway South shall be preserved as shown on site plan by Summit Engineering Consultants, Inc., dated December 19, 2024 submitted with this application.
17. This property shall participate in the crime-free multi-family housing program.

EXHIBIT A
20 Technology Parkway
Ordinance 2021-09-215 Conditions

1. The property shall be rezoned from M-1 to MUD and variances shall be granted to allow the development to encroach into the stream buffer up to ~~the amount currently impacted by existing development~~ ±4,500 square feet of encroachment into the 50-foot undisturbed natural vegetative buffer and ±18,500 square feet of encroachment into the 75-foot impervious setback, as shown on the site plan by Summit Engineering Consultants, Inc., dated December 19, 2024, and to reduce the one-bedroom minimum dwelling unit size from 600 square feet to 555 square feet.
2. The site may be developed with up to ~~382-326~~ multi-family units. However, the maximum number of units is dependent on-site conditions, compliance with zoning conditions, and fully engineered plans that meet regulations.
3. The site shall contain a minimum of 2,000 square feet of indoor/outdoor retail or restaurant space, 8,000 square feet of office space and a food truck parking area as shown on the submitted plan.
4. The site plan layout shall be in general conformance with the site plan submitted with this application and prepared by Summit Engineering Consultants, Inc., dated December 19, 2024~~Bellon Architecture dated July 1, 2021~~ (with revisions to meet these conditions and zoning and development regulations).
5. The 2.6 acres of open space being dedicated for public use for a density bonus shall be subject to an easement which ensures its open access to the public.
6. Development shall include no more than the two access points as shown on the submitted site plan.
7. All stormwater detention shall be underground and all on-site facilities shall be constructed to meet the standards of the City of Peachtree Corners Stormwater Ordinances including, but not limited to, stormwater detention, water quality standards, stream protection and management of off-site drainage flowing through the site.
8. All stormwater facilities shall be owned and maintained by the owner of the subject property in accordance with the City of Peachtree Corners Stormwater Ordinances.
9. The developer shall provide sidewalk connectivity between all buildings within the site and provide pedestrian sidewalk connections from the development onto the public sidewalk network along Technology Parkway South.
10. The developer shall provide a central mailbox for the community with adequate pedestrian access.
11. Building elevations shall be in general conformance with the elevations submitted with this application prepared by Brock Hudgins Architects, dated November 1, 2024.
- ~~12. The development shall incorporate public art in the form of a large wall mural on the side of a building visible from Technology Parkway South. The design of the mural shall be approved by Staff with assistance from the Arts Council. Completion of the mural shall occur prior to the issuance of the Certificate of Occupancy for the building on which it is installed. Total cost of the mural shall not exceed \$25,000.~~
- ~~13.~~ 12. Bicycle racks shall be provided within the development in accordance with the overlay standards.

~~14.13.~~ The multi-family site shall incorporate an outdoor grilling and seating area with fireplace or fire pit.

~~15.14.~~ The multi-family building shall have controlled access at all pedestrian entry points.

~~16.15.~~ With regard to the multi-family units, the following shall apply:

- a. Each unit shall have General Electric stainless-steel kitchen appliances (or equal).
- b. All kitchens shall include granite countertops (or equal material such as quartz).
- c. Designer ceramic tile backsplashes shall be provided in all units.
- d. Floor finish materials shall be tile, carpet, luxury vinyl tile/plank, or engineered wood. Concrete flooring shall be prohibited.
- e. For increased privacy and reduced sound transmission, each unit shall have a minimum 7/16" 6-lb pad under all carpeted areas.
- f. All units to be equipped with light fixtures, either recessed can light and/or ceiling mount fixtures and/or wall sconces.
- g. All bathrooms shall have granite countertops (or equal material such as quartz).
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- q. The property owner shall provide a resort-style swimming pool and courtyard.
- r. Children's playground equipment shall be prohibited on the property.
- s. The property owner shall provide trash chutes internal to the building so residents do not have to carry their trash downstairs.
- t. All interior corridor floor finish materials shall be tile, carpet, luxury vinyl tile/plank, or engineered wood. Concrete flooring shall be prohibited.

~~17.16.~~ All existing vegetation along Peachtree Industrial Boulevard and Technology Parkway South shall be preserved as shown on ~~preliminary landscape plans~~site plan by Summit Engineering Consultants, Inc., dated December 19, 2024 submitted with this application.

~~18.17.~~ This property shall participate in the crime-free multi-family housing program.

DISCLOSURE REPORT FORM
CONFLICT OF INTEREST CERTIFICATION/CAMPAIGN CONTRIBUTIONS

WITHIN THE (2) YEARS IMMEDIATELY PRECEDING THE FILING OF THIS ZONING PETITION HAVE YOU, AS THE APPLICANT FOR THE REZONING, SPECIAL USE PERMIT, OR CHANGE IN CONDITIONS PETITION, OR AN ATTORNEY OR AGENT OF THE APPLICANT FOR THE REZONING, SPECIAL USE PERMIT, OR CHANGE IN CONDITIONS PETITION, MADE ANY CAMPAIGN CONTRIBUTIONS AGGREGATING \$250.00 OR MORE OR MADE GIFTS HAVING AN AGGREGATE VALUE OF \$250.00 TO THE MAYOR OR ANY MEMBER OF THE CITY COUNCIL?

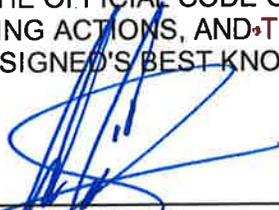
CHECK ONE: YES NO
 (If yes, please complete the "Campaign Contributions" section below)

Carlos E. Gonzalez
 Print Name

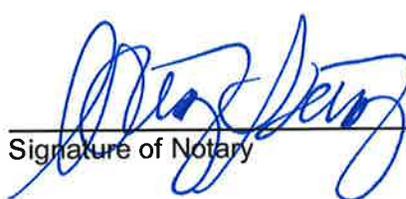
1. CAMPAIGN CONTRIBUTIONS

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

2. THE UNDERSIGNED ACKNOWLEDGES THAT THIS DISCLOSURE IS MADE IN ACCORDANCE WITH THE OFFICIAL CODE OF GEORGIA, SECTION 36-67A-1 ET. SEQ. CONFLICT OF INTEREST IN ZONING ACTIONS, AND THAT THE INFORMATION SET FORTH HEREIN IS TRUE TO THE UNDERSIGNED'S BEST KNOWLEDGE, INFORMATION AND BELIEF.


 Signature of Applicant for Peachtree Community, LLC Date: 10/28/24 Type or Print Name and Title: Carlos E. Gonzalez, Authorized Representative

Signature of Applicant's Attorney or Representative Date Type or Print Name and Title


 Signature of Notary Date: 10-28-2024 Notary Seal



Property Tax [View Pay Your Ta...](#)

View/Pay Your Taxes

Account Details

[Back to Search](#)

Parcel ID :

R6272 044

Property Type :

Real Property

Site Address :

20 S TECHNOLOGY PKW
 PEACHTREE CORNERS 30092

Mailing Address :

PEACHTREE COMMUNITY LLC
 12895 SW 132ND ST STE
 MIAMI FL 33186-7201

[Change Mailing Address](#)

Legal :

TRACTS 2 & 3 PEACHTREE IND BLVD - PB154-293

District :

PEACHTREE CORNERS

Last Update :

11/05/2024 08:13 PM

No payment due for this account.

Tax Bills

 [Click here](#) to view and print your 2024 tax bill.



Year	Net Tax	Total Paid	Fees	Penalty	Interest	Due Date	Amount Due
2024	\$93,416.84	\$93,416.84	\$0.00	\$0.00	\$0.00	10/15/2024	\$0.00
2023	\$93,670.18	\$95,318.78	\$0.00	\$0.00	\$0.00	10/15/2023	\$0.00
2022	\$61,011.78	\$61,876.77	\$0.00	\$0.00	\$0.00	07/01/2023	\$0.00
2021	\$29,574.78	\$29,882.36	\$0.00	\$0.00	\$0.00	10/15/2021	\$0.00
2020	\$29,764.78	\$32,090.60	\$0.00	\$0.00	\$0.00	12/01/2020	\$0.00
2019	\$28,707.62	\$38,451.93	\$0.00	\$0.00	\$0.00	10/15/2019	\$0.00
2018	\$28,821.62	\$28,821.62	\$0.00	\$0.00	\$0.00	10/15/2018	\$0.00
2017	\$29,042.78	\$29,042.78	\$0.00	\$0.00	\$0.00	04/01/2018	\$0.00
2016	\$28,788.94	\$28,788.94	\$0.00	\$0.00	\$0.00	10/15/2016	\$0.00

Year	Net Tax	Total Paid	Fees	Penalty	Interest	Due Date	Amount Due
Total							\$0.00

Email tax@gwinnettcountry.com to request other years.



Understanding Your Property Tax Bill

Gwinnett Tax Commissioner

02:40

Understanding Your Property Tax Bill



How to Pay Your Property Taxes Online

Gwinnett Tax Commissioner

04:28

How to Pay Your Property Taxes Online

Translate our website:

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TECH PARK



TECH PARK







ELEVATION NOTES

- ALL METAL CAPS, COPING, FLASHING, SCUPPERS, FLASHING, AND OTHER RELATED ROOF ITEMS SHALL BE INSTALLED PER THE LATEST **SMACNA** REGULATION.
- REFER TO PROJECT MANUAL FOR SPECIFICATIONS.
- COORDINATE BUILDING SIGNAGE LOCATIONS AND REQUIREMENTS W/ OWNER AND ELECTRICAL PRIOR TO FABRICATION.
- REFER TO RCP FOR SPECIFICATION OF EXTERIOR LIGHTING.
- MATERIAL MANUFACTURERS AND COLORS INDICATED ON DRAWINGS ARE SUBJECT TO CHANGE DURING THE CONSTRUCTION PROCESS. ANY DEVIATIONS FROM APPROVED PLANS SHALL FOLLOW ESTABLISHED ADMINISTRATIVE PROCEDURES FOR APPROVAL.

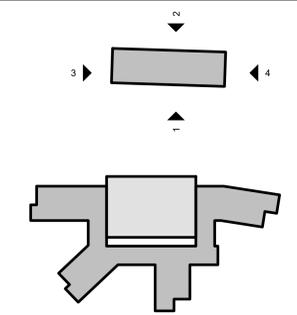
ELEVATION LEGEND

- (X) WINDOWSTOREFRONT SYSTEM. REFER TO WINDOW SCHEDULE SHEET FOR SPECIFICATION.
- MASONRY CONTROL JOINT. FINISH TO MATCH MORTAR.

EXTERIOR MATERIAL LEGEND

- FC-1** FIBER CEMENT - BOARD & BATTEN
EXPOSURE: 12" O.C.
STANDARD OF DESIGN: JAMES HARDIE
COLOR: GREEN EARTH SW7748
- FC-2** FIBER CEMENT - LAP SIDING
EXPOSURE: 6"
STANDARD OF DESIGN: JAMES HARDIE
COLOR: CHELSEA GREY SW 2850
- FC-3** FIBER CEMENT - PANEL W/ REVEALS
EXPOSURE: PER ELEVATIONS
STANDARD OF DESIGN: JAMES HARDIE
COLOR: WESTCHESTER GRAY SW 2849
- FC-4** FIBER CEMENT - TRIM BOARD
EXPOSURE: PER ELEVATIONS
STANDARD OF DESIGN: JAMES HARDIE
COLOR: BLACK MAGIC SW 6991
- FC-5** FIBER CEMENT - TRIM BOARD
EXPOSURE: PER ELEVATIONS
STANDARD OF DESIGN: JAMES HARDIE
COLOR: KOI POND SW 7727
- FC-6** FIBER CEMENT - PANEL W/ REVEALS
EXPOSURE: PER ELEVATIONS
STANDARD OF DESIGN: NICHHA VINTAGEWOOD
COLOR: CEDAR
- BR-2** BRICK VENEER
STANDARD OF DESIGN: TBD
COLOR: TBD

KEY PLAN



6 EXTERIOR BUILDING ELEVATION - JEWEL BOX
1/8" = 1'-0"

5 EXTERIOR BUILDING ELEVATION - JEWEL BOX
1/8" = 1'-0"



4 EXTERIOR BUILDING ELEVATION
3/32" = 1'-0"

3 EXTERIOR BUILDING ELEVATION
3/32" = 1'-0"



2 EXTERIOR BUILDING ELEVATION
3/32" = 1'-0"



1 EXTERIOR BUILDING ELEVATION
3/32" = 1'-0"

2/20/24 11:31:25 AM 2/20/24 2:52 Technology Pkwy South - ARCHREVIT/3/07/24 - ARCHREVIT/3/07/24 - Peachtree Corners, GEORGETIA

